



Rule Adoption Notice

Chapter 173-175 WAC, Dam Safety

As a result of legislation passed in 2003 (ESSB 5766) Ecology is required to send out notification to businesses affected by rule adoptions. To comply with this law and to keep the regulated community better informed of Ecology rule adoptions, you are receiving this notification of a rule adoption.

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Requirements of the rule

Chapter 173-175 WAC, Dam Safety, defines how the State of Washington regulates dams. The rule defines the jurisdiction of the State over dams, and requires permits for construction of dams, sets terms for operation of dams in Washington and their inspection by the State, and describes agency enforcement powers and procedures for unsafe or illegal dams.

Summary of the rule changes adopted on August 31, 2005

The 2005 Legislature passed Engrossed Substitute House Bill 2309. This Bill required Ecology to modify some fees the Ecology Dam Safety Office charges for periodic safety inspections of dams less than twenty years old. Ecology amended Chapter 173-175-755 and 765 WAC so they do not conflict with law. The rule creates a sliding fee scale the Agency charges for periodic safety inspections of dams, based upon the age of the dam. The fee for dam inspections was eliminated for projects less than 10 years old. The fee for dams between 11 and 20 years old will be \$257 per year, plus an annual fiscal growth factor, for both high and significant hazard dams. Dams more than 20 years old will pay the existing fees of \$707 for high hazard dams or \$257 for significant hazard dams.

Effective October 1, 2005

This amendment to Chapter 173-175 WAC becomes effective on October 1, 2005.

Appeal procedures

This adoption can be appealed under procedures described in the Administrative Procedure Act (RCW 34.05.330). For additional information about appealing this adoption please contact Jerry Thielen, Ecology's Regulatory Affairs Manager at (360) 407-7551 or by email jthi461@ecy.wa.gov.

If you require this publication in an alternate format, please contact the Water Resources Program at (360) 407-6600 or TTY (for the speech or hearing impaired) at 711 or 800-833-6388.

